

901D.7 Placement and enrollment.

1. Subject to [sections 901D.3](#) and [901D.6](#), a participant may be placed in the program as a condition of bond, pretrial release, sentence, probation, or parole.

2. *a.* An order or directive placing a participant in the program shall include all of the following:

(1) The type of testing required to be administered in the program in accordance with [section 901D.3, subsection 1](#), paragraph “*b*”.

(2) The length of time that the participant is required to remain in the program, which shall be for no less than ninety days.

(3) A requirement that the participant not have failed a required testing or have missed a required testing during the thirty-day period immediately preceding the end of participation in the program.

(4) A requirement that the participant submit to the law enforcement agency of the participating jurisdiction proof that the participant has installed an approved ignition interlock device on all motor vehicles owned or operated by the participant prior to the end of participation in the program, unless the court enters an order pursuant to paragraph “*c*” finding the participant is not required to provide proof of installation of an approved ignition interlock device as a condition of the participant’s completion of the program.

b. The person issuing the order or directive shall send a copy of the order or directive to the law enforcement agency of the participating jurisdiction.

c. (1) A court shall only enter an order finding the participant is not required to provide proof of installation of an approved ignition interlock device on all motor vehicles owned or operated by the participant if any of the following apply:

(a) The participant will be ineligible for a temporary restricted license at the time the participant completes the program.

(b) The participant will not own a motor vehicle or have a motor vehicle registered in the participant’s name at the time the participant completes the program, and the participant has submitted an affidavit stating such.

(2) If the court enters an order finding the participant is not required to install an approved ignition interlock device under this paragraph, the court shall specifically state in the order the reasons for not imposing the requirement.

3. Upon receipt of a copy of an order or directive, a representative of the law enforcement agency of the participating jurisdiction shall enroll a participant in the program prior to testing.

4. At the time of enrollment, a representative of the law enforcement agency of the participating jurisdiction shall enter the participant’s information into the data management system described in [section 901D.5](#). The representative of the agency shall provide the participant with the appropriate materials required by the program, inform the participant that the participant’s information may be shared for law enforcement and reporting purposes, and provide the participant with information related to the required testing, procedures, and fees.

5. The participant shall sign a form stating that the participant understands the program requirements and releases the participant’s information for law enforcement and reporting purposes.

6. A participant shall report to the program for testing for the length of time ordered by the court, the board of parole, the department of corrections, or a parole officer.

[2017 Acts, ch 76, §9](#); [2019 Acts, ch 66, §2](#); [2020 Acts, ch 1059, §7](#); [2020 Acts, ch 1063, §382](#)

See Code editor’s note on simple harmonization at the beginning of this Code volume
Subsections 1 and 2 amended